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Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
March 09, 2023

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Counsel for Shelley D. Krohn, Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

LAS VEGAS LAND PARTNERS, LLC,

Debtor.

Case No. BK-S-19-15333-MKN
Chapter 7

**ORDER GRANTING APPLICATION TO
AMEND TERMS OF EMPLOYMENT
FOR CUSHMAN & WAKEFIELD U.S.,
INC. DBA CUSHMAN & WAKEFIELD
TO SELL CERTAIN REAL PROPERTY
AND TO PAY COMMISSION
PURSUANT TO 11 U.S.C. §§ 327(a) AND
328(a) AND FEDERAL RULE OF
BANKRUPTCY PROCEDURE 2014**

Date of Hearing: March 9, 2023
Time of Hearing: 11:00 a.m.
Place: Courtroom No. 2, Third Floor
Foley Federal Building
300 Las Vegas Blvd., S.
Las Vegas, NV 89101

Judge: Honorable Mike K. Nakagawa

The Court has reviewed the *Application to Amend Terms of Employment for Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield to Sell Certain Real Property and to Pay*

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Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014 [ECF No. 169]¹ (the “Application”)² filed by Shelley D. Krohn (the “Trustee”), the Chapter 7 Trustee appointed in the above-captioned bankruptcy case, by and through her counsel of record, Jacob L. Houmand, Esq. and Bradley G. Sims, Esq. of the Houmand Law Firm, Ltd. The Application sought to amend the employment terms for Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield (“C&W”) pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014. C&W was previously employed to sell the bankruptcy estate’s interest in the real property described as: the city block bounded by Casino Center, Bonneville, South 1st and Garces Streets, Las Vegas, Nevada [APN 139-34-301-008] (the “Property”) following entry of the *Order Granting Application to Employ Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* [ECF No. 104] (the “Employment Order”). The Application sought to amend the terms of the employment of C&W as set forth in the Employment Order.

No Opposition was filed to the Application. Bradley G. Sims, Esq. appeared on behalf of the Trustee and no other appearances were noted on the record.

The Court reviewed the Application, the *Declaration of Shelley D. Krohn In Support of Application to Amend Terms of Employment for Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* [ECF No. 170], the *Declaration of Christina Roush In Support of Application to Amend Terms of Employment for Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* [ECF No. 171], the *Notice of Hearing On Application to Amend Terms of*

¹ All references to “ECF No.” are to the numbers assigned to the documents filed in the case as they appear on the docket maintained by the clerk of the court.

² Unless otherwise provided herein, all undefined terms shall have the same meaning ascribed to them in the Application.

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Employment for Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014 [ECF No. 172], the Certificate of Service of Application to Amend Terms of Employment for Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014 [ECF No. 173], the exhibits attached thereto, and all other pleadings and papers on file herein.

Based upon the pleadings and arguments of counsel and the findings of fact and conclusions of law placed on the record at the hearing and incorporated herein pursuant to Federal Rule of Civil Procedure 52, incorporated by reference by Federal Rules of Bankruptcy Procedure 7052, and good cause appearing,

IT IS HEREBY ORDERED that:

1. The Application is GRANTED in its entirety; and
2. The Trustee is hereby authorized pursuant to Sections 327(a) and 328(a) and FRBP 2014 to amend the employment terms of C&W as set forth in the Application; and
3. The amended terms of such employment shall be as described in the Application and the *First Amendment to Listing Agreement* that is attached as Exhibit “1” to the *Declaration of Christina Roush In Support of Application to Amend Terms of Employment for Cushman & Wakefield U.S., Inc. dba Cushman & Wakefield to Sell Certain Real Property and to Pay Commission Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Federal Rule of Bankruptcy Procedure 2014* [ECF No. 171]; and
4. Such terms of employment are approved as reasonable in accordance with Sections 328 and 330; and

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1 5. The dual representation of the Trustee and the Debtor's bankruptcy estate and any
2 potential buyer by C&W shall be prohibited.

3 **IT IS SO ORDERED.**

4 Prepared and Submitted By:

5 **HOUMAND LAW FIRM, LTD.**

6 By: /s/ Bradley G. Sims

Jacob L. Houmand, Esq. (NV Bar No. 12781)

7 Bradley G. Sims, Esq. (NV Bar No. 11713)

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LOCAL RULE 9021 CERTIFICATE

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that:

☐ The Court has waived the requirements set forth in Local Rule 9021(b)(1).

☒ No party appeared at the hearing or filed an objection to the Application.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to Local Rule 9014(g), and that no party has objected to the form or content of the order.

Dated this 9th day of March, 2023.

HOUMAND LAW FIRM, LTD.

By: /s/ Bradley G. Sims

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